

PATENT
DOCKET NO.: 28091/220

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Joseph H. KAAL; Craig S. THORLEY; Damien JUDD
Cnfrm. No.: 3518
U.S. National
Serial No.: 10/587,705
371 Filing
Date: October 3, 2006
PCT International
Application No.: PCT/AU05/00107
Filed: January 28, 2006
For: RETRACTABLE SYRINGE WITH PLUNGER
DISABLING SYSTEM

Examiner:
Diva Ranade

Art Unit:
3763

REQUEST FOR REFUND OF FEES PAID UNDER 37 C.F.R. § 1.26

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Dear Sir:


This Request for Refund of Fees Paid, pursuant to 37 C.F.R. § 1.26, is being made because the fee (\$1,110) for filing Petition for Three-Month Extension of Time on August 25, 2009 was inadvertently paid as a large entity. Applicants claimed small entity status when filing the U.S. National Patent Application, and the status has not changed. Also, the filing receipt, mailed July 8, 2008, indicates small entity status. Enclosed is a copy of the deposit account statement for August 2009, showing the charge of \$1,110.00 for Attorney Docket Number 28091/220 - see page 3, date August 26, 2009, SEQ 3251.

Applicants respectfully request a refund in the amount \$555 (half of the \$1,110 fees paid for the Petition for Three-Month Extension of Time) to be credited to the undersigned attorney's deposit account 14-1138.

Respectfully submitted,

Date: September 18, 2009

NIXON PEABODY LLP
1100 Clinton Square
Rochester, New York 14604
Telephone: (585) 263-1014
Facsimile: (585) 263-1600


Gunnar G. Leinberg
Registration No. 35,584

12710952.2



**United States
Patent and
Trademark Office**



Deposit Account Statement

Requested Statement Month: August 2009
 Deposit Account Number: 141138
 Name: NIXON PEABODY LLP
 Attention: MICHAEL L. GOLDMAN
 Street Address 1: CLINTON SQUARE
 Street Address 2: P O BOX 31051
 City: ROCHESTER
 State: NY
 Zip: 14603-1051
 Country: UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
08/03	3207	61178760	201160-100	8021	\$40.00	\$42,
08/03	3356	10984406	19603/4581 (CRF D-3357-02	2253	\$555.00	\$42,
08/03	6509	61230470	57953/1770	2005	\$110.00	\$42,
08/03	9876	11843239	4484/131	2251	\$65.00	\$42,
08/03	9875	11843239	4484/131	2202	\$104.00	\$42,
08/03	9877	11843239	4484/131	2801	\$405.00	\$41,
08/04	4484	11962446	019603-004067	1814	\$140.00	\$41,
08/04	5223	11564602	45271-100	2801	\$405.00	\$41,
08/05	21	61273310	1819/101210	2005	\$110.00	\$40,
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08/06	675	09738003	812495-000140 (10.220)	1201	\$660.00	\$39,
08/06	4269	10847142	21829/197 (EBC-005)	2253	\$555.00	\$38,
08/06	4270	10847142	21829/197 (EBC-005)	2401	\$270.00	\$38,
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08/06	4737	60821646	2809-1950	8021	\$40.00	\$38,
08/06	5059	60821650	2809-1970	8021	\$40.00	\$38,
08/06	5402	11834909	2809-1971	8021	\$40.00	\$38,
08/06	5839	61020530	2809-1980	8021	\$40.00	\$38,
08/06	6215	61048677	2809-1981	8021	\$40.00	\$38,
08/06	6505	60951201	2809-1990	8021	\$40.00	\$38,
08/06	6744	12176144	2809-1991	8021	\$40.00	\$38,
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08/06	14475	11421658	34186/1064	1504	\$300.00	\$37,
08/06	14474	11421658	34186/1064	2501	\$755.00	\$37,
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08/07	1103	12536750	46770/251	2111	\$270.00	\$36,
08/07	1102	12536750	46770/251	4011	\$82.00	\$36,

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Deposit Account Statement

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08/07 1106	12536750	46770/251	2202	\$338.00	\$36,
08/07 1562	12414415	812495/10260 (3193/106C1)	1311	\$220.00	\$36,
08/07 1561	12414415	812495/10260 (3193/106C1)	1111	\$540.00	\$35,
08/07 1560	12414415	812495/10260 (3193/106C1)	1011	\$330.00	\$35,
08/07 1563	12414415	812495/10260 (3193/106C1)	1051	\$130.00	\$35,
08/07 1564	12414415	812495/10260 (3193/106C1)	1252	\$490.00	\$34,
08/07 1649	11900208	043927-004056USC1	1251	\$130.00	\$34,
08/07 1994	61088195		8007	\$20.00	\$34,
08/07 3722	PCT/US09/52978	46770-252	1601	\$240.00	\$34,
08/07 3723	PCT/US09/52978	46770-252	1602	\$2,080.00	\$32,
08/07 3724	PCT/US09/52978	46770-252	1701	\$1,095.00	\$31,
08/07 3725	PCT/US09/52978	46770-252	1703	\$195.00	\$30,
08/10 1356	11838616	176/61444	2201	\$110.00	\$30,
08/10 1355	11838616	176/61444	2202	\$26.00	\$30,
08/10 2173	PCT/US09/42565	176/62372 (1639)	1703	\$351.00	\$30,
08/10 3601	12537694	20564-1011	2111	\$270.00	\$30,
08/10 3602	12537694	20564-1011	2311	\$110.00	\$30,
08/10 3600	12537694	20564-1011	4011	\$82.00	\$29,
08/10 12	10043413	812495-010101 (3193/102)	1461	\$755.00	\$29,
08/10 13	12268609	812495-010201 (3193/134)	1461	\$1,248.00	\$27,
08/10 14	12268601	812495-010171 (3193/132)	1461	\$1,248.00	\$26,
08/10 15	12268573	812495-010211 (3193/135)	1461	\$1,534.00	\$25,
08/10 16	12268575	812495-010221 (3193/136)	1461	\$1,508.00	\$23,
08/10 10	61273310	1819/101210	8021	\$40.00	\$23,
08/10 11050	12471376	31916-1232	8021	\$40.00	\$23,
08/11 2799	12538463	2253-131	1111	\$540.00	\$23,
08/11 2800	12538463	2253-131	1311	\$220.00	\$22,
08/11 2798	12538463	2253-131	1011	\$330.00	\$22,
08/11 3545	10552110	20747/300	1253	\$1,110.00	\$21,
08/11 5482	12538610	002308-002073	2202	\$26.00	\$21,
08/11 5480	12538610	002308-002073	2111	\$270.00	\$21,
08/11 5479	12538610	002308-002073	4011	\$82.00	\$21,
08/11 5481	12538610	002308-002073	2311	\$110.00	\$20,
08/11 5922	10979526	19603/4551 (CRF D-3344-02	2253	\$555.00	\$20,
08/11 5923	10979526	19603/4551 (CRF D-3344-02	2401	\$270.00	\$20,
08/12 1570	61166211	57953-1810	8021	\$40.00	\$20,
08/12 1945	12499961	20959-2670	8021	\$40.00	\$20,
08/12 2462	12526696	176-62202 (6-1549)	2631	\$165.00	\$19,
08/12 2463	12526696	176-62202 (6-1549)	2641	\$50.00	\$19,
08/12 2464	12526696	176-62202 (6-1549)	2633	\$110.00	\$19,
08/12 2465	12526696	176-62202 (6-1549)	2615	\$52.00	\$19,
08/12 2466	12526696	176-62202 (6-1549)	2614	\$110.00	\$19,
08/12 2467	12526696	176-62202 (6-1549)	2453	\$810.00	\$18,
08/12 5393	10934894	19603/4461 (CRF D-3107-02	2251	\$65.00	\$18,
08/13 570	E-REPLENISHMENT		9203	-\$40,000.00	\$58,
08/14 7662	10336784	812495-010112 (3193/108)	1801	\$810.00	\$57,
08/14 13829	61101831	176-62630	8021	\$40.00	\$57,
08/17 281	81122551	176-62660	8021	\$40.00	\$57,
08/17 788	61095990	176-62600	8021	\$40.00	\$57,
08/17 1234	61079204	176-62580	8021	\$40.00	\$57,

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Deposit Account Statement

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08/17 2593 12520401	2308-800	8021	\$40.00	\$57,
08/18 1463 11369118	19603/4672 (CRF D-1595-23 2252		\$245.00	\$57,
08/18 1464 11369118	19603/4672 (CRF D-1595-23 2801		\$405.00	\$57,
08/18 6038 12542424	201835/1117	1014	\$330.00	\$56,
08/18 6039 12542424	201835/1117	1114	\$540.00	\$56,
08/18 8040 12542424	201835/1117	1314	\$650.00	\$55,
08/18 10026 PCT/US09/54097	19603-6031	1703	\$767.00	\$54,
08/18 10025 PCT/US09/54097	19603-6031	1701	\$1,095.00	\$53,
08/18 10024 PCT/US09/54097	19603-6031	1602	\$2,080.00	\$51,
08/18 10023 PCT/US09/54097	19603-6031	1601	\$240.00	\$51,
08/18 11746 11338034	20959/2450 (P 69216)	1504	\$300.00	\$51,
08/18 11744 11338034	20959/2450 (P 69216)	1501	\$1,510.00	\$49,
08/19 2302 11037550	043927-004001USC1	1253	\$1,110.00	\$48,
08/19 2754 11526426	48283-210	1814	\$140.00	\$48,
08/19 2753 11526426	48283-210	1253	\$1,110.00	\$47,
08/19 3134 PCT/US09/54157	44799-171	1601	\$240.00	\$46,
08/19 3135 PCT/US09/54157	44799-171	1602	\$2,080.00	\$44,
08/19 3136 PCT/US09/54157	44799-171	1701	\$1,095.00	\$43,
08/19 3137 PCT/US09/54157	44799-171	1703	\$416.00	\$43,
08/19 3258 PCT/US09/54159	44799-181	1703	\$104.00	\$43,
08/19 3257 PCT/US09/54159	44799-181	1701	\$1,095.00	\$42,
08/19 3255 PCT/US09/54159	44799-181	1601	\$240.00	\$41,
08/19 3256 PCT/US09/54159	44799-181	1602	\$2,080.00	\$39,
08/19 5852 11615742	44599/1031	1201	\$220.00	\$39,
08/19 5853 11615742	44599/1031	1801	\$810.00	\$38,
08/19 10977 12522657	2809-1942	8021	\$40.00	\$38,
08/19 11076 12522709	2809-2002	8021	\$40.00	\$38,
08/20 1653 0210500887		8014	\$25.00	\$38,
08/20 1654 0212530132		8014	\$25.00	\$38,
08/20 2348 11385058	20959/2470 (P 69851)	1801	\$810.00	\$37,
08/20 4849 10301931	1508/3870	1811	\$100.00	\$37,
08/20 14189 12483829	200813/181	2051	\$65.00	\$37,
08/21 2649 10895791	3213/111	2253	\$555.00	\$37,
08/21 5254 12483829	200813-181	8021	\$40.00	\$37,
08/21 30 12538610	002308-002073	2202	-\$26.00	\$37,
08/24 10702 10520613	027419-180	1253	\$1,110.00	\$35,
08/25 3317 11732492	812495/010031 (10.0930)	1252	\$490.00	\$35,
08/25 3528 11101005	32643/111	2253	\$555.00	\$34,
08/25 3527 11101005	32643/111	2202	\$78.00	\$34,
08/25 4665 11696519	46600-2	2501	\$755.00	\$34,
08/25 4666 11696519	46600-2	1504	\$300.00	\$33,
08/25 16941 11284265	19603/4812 (CRF D-3501-03 1501		\$1,510.00	\$32,
08/25 16942 11284265	19603/4812 (CRF D-3501-03 1504		\$300.00	\$31,
08/26 2631 10006760	176/60901 (6-11402-968)	2501	\$755.00	\$31,
08/26 2632 10006760	176/60901 (6-11402-968)	1504	\$300.00	\$30,
08/26 3251 10587705	28091/220	1253	\$1,110.00	\$29,
08/26 3252 10587705	28091/220	1806	\$180.00	\$29,
08/26 3254 11445776	27419/151 (4308PTUS/ER)	2252	\$245.00	\$29,
08/26 6908 10511480	20747/210	1251	\$130.00	\$29,
08/26 6909 10511480	20747/210	1806	\$180.00	\$29,

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Deposit Account Statement

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08/26 1	PCT/US09/54157	44799-171	1703	\$13.00	\$29.
08/26 10180	61174685	1819-101180	8021	\$40.00	\$29.
08/27 2925	10587782	28091/210	2253	\$555.00	\$28.
08/27 3411	10790456	176/61481 (1-11027-03034)	2501	\$755.00	\$27.
08/27 3410	10790456	176/61481 (1-11027-03034)	1464	\$130.00	\$27.
08/27 3412	10790456	176/61481 (1-11027-03034)	1504	\$300.00	\$27.
08/27 5495	US0939855	19603-5901	8021	\$40.00	\$27.
08/27 13418	10584871	176/61732	2254	\$865.00	\$26.
08/28 10413	10584875	176/61752	1504	\$300.00	\$26.
08/28 10412	10584875	176/61752	2501	\$755.00	\$25.

START	SUM OF	SUM OF	END
BALANCE	CHARGES	REPLENISH	BALANCE
\$42,918.00	\$57,814.00	\$40,221.00	\$25,325.00

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Electronic Patent Application Fee Transmittal

Application Number:	10587705			
Filing Date:	03-Oct-2006			
Adjustment date: 09/23/2009 SDIRETA1 08/26/2009 INTEFSW 00002109 141138 10587705 01 FC:1253 1110.00 CR				
Title of Invention:	Retractable Syringe with Plunger Disabling System			
09/23/2009 SDIRETA1 00000004 141138 10587705 01 FC:2253 555.00 DA				
First Named Inventor/Applicant Name:	Joseph Hermes Kaal			
Filer:	Gunnar G. Leinberg/Sherri Moscato			
Attorney Docket Number:	28091/220			
Filed as Large Entity				
U.S. National Stage under 35 USC 371 Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 3 months with \$0 paid	1253	1	1110	1110